

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,  
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11 Plaintiff,  
12 v.  
13 DARRYL KILGORE,  
14 Defendant.

CASE NO. CR17-0203-JCC  
ORDER

15 This matter comes before the Court on the parties' stipulated motion to proceed with  
16 Defendant Darryl Kilgore's change of plea hearing by video conference (Dkt. No. 364). Having  
17 thoroughly considered the motion and the relevant record, the Court hereby GRANTS the motion  
18 for the reasons explained herein.

19 Defendant was originally indicted for Conspiracy to Commit Bank Fraud, Conspiracy,  
20 Bank Fraud, Aggravated Identity Theft, and Money Laundering Conspiracy. (Dkt. No. 48.) The  
21 Government has since filed a superseding information containing allegations directed solely  
22 toward the crime of conspiracy (Dkt. No. 362.) Defendant has been detained pending trial since  
23 his July 2017 arrest. (*See* Dkt. No. 38.) The parties indicate they now agree that a time served  
24 sentence is appropriate. (Dkt. No. 364 at 2.) Accordingly, Defendant would like to plead guilty  
25 now and proceed with the change of plea hearing by video conference. (*Id.*)

26 While in-person proceedings in the courthouse have begun to increase, the Court is still

1 strictly limiting the number of proceedings that can occur concurrently and the number of people  
2 who can attend those proceedings. *See* W.D. Wash. General Order 04-21 at 2. With limited  
3 exceptions, in-person hearings will not resume until June 30, 2021. *Id.* Given the circumstances,  
4 delaying Defendant's plea hearing until it can be held in person would cause serious harm to the  
5 interests of justice. *See* W.D. Wash. General Orders 04-20, 09-20, 14-20, 17-20, 06-21.

6 For the foregoing reasons, the Court GRANTS the parties' motion to proceed with  
7 Defendant's change of plea hearing by video conference (Dkt. No. 364) and ORDERS that his  
8 plea hearing be scheduled before a Magistrate Judge as soon as practicable and be conducted by  
9 video conference.

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11 DATED this 2nd day of June 2021.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE